

Message Text

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ACTION EUR-12

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CONFIDENTIAL ATHENS 9753

EO 11652: GDS
TAGS: PFOR GW GR
SUBJECT: THE POHLE CASE
REF: BONN 15274

1. WE BELIEVE THAT FRG SUSPICIONS (REFTEL) THAT THE GREEK GOVT IS BEING REMISS OR UNENTHUSIASTIC IN PRESSING THE EXTRADITION CASE ARE MISPLACED.

2. IMMEDIATELY AFTER POHLE'S ARREST, THE GREEK POLICE APPARENTLY BELIEVED THEY COULD HAND HIM OVER QUIETLY AND QUICKLY TO GERMAN AUTHORITIES WITHOUT RESORT TO LEGAL EXTRADITION PROCEEDINGS. HOWEVER, IN VIEW OF THE EXISTENCE OF THE 1907 EXTRADITION TREATY BETWEEN GREECE AND GERMANY, THE GOG DECIDED IT HAD NO CHOICE BUT TO PURSUE FORMAL EXTRADITION PROCEEDINGS. IT SHOULD BE NOTED, HOWEVER, THAT IN ANY CASE IT WAS AT LEAST MOOT WHETHER, UNDER GREEK LAW, THE SORT OF "EXPEDITIOUS EXTRADITION" THE GREEK POLICE WERE ADVOCATING WAS EITHER LEGAL OR COULD HAVE BEEN ACCOMPLISHED, PARTICULARLY IN LIGHT OF THE LEGAL TALENT THAT WAS QUICKLY MARSHALLED IN

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POHLE'S BEHALF.

3. WHATEVER THE LOST OPPORTUNITIES MAY - OR MAY NOT - HAVE BEEN, THE GOVT IS NOW FACED WITH THE GREEK COURTS WHICH NOT ONLY ARE CONSTITUTIONALLY INDEPENDENT, BUT ALSO, ARE DETERMINED TO ASSERT THAT INDEPENDENCE IN THE WAKE OF THE 7-YEAR JUNTA EXPERIENCE.

4. THUS THE GREEK GOVT FACES REAL OBSTACLES IN SEEKING TO OBTAIN AUTHORIZATION FROM THE COURTS TO EXTRADITE HIM. BUT WE HAVE NO REASON TO THINK THAT THE GOG IS NOT SEEKING TO OVERCOME THEM. FIRST, POHLE'S PRESENCE IN A GREEK JAIL RAISES SECURITY PROBLEMS OF WHICH THE GOG IS WELL AWARE. BUT MORE IMPORTANTLY, THE GOG KNOWS THAT GERMAN GOODWILL AND GERMAN SUPPORT WILL BE ESSENTIAL AS GREECE SEEKS TO ENTER THE EUROPEAN COMMUNITY, A CENTRAL PILLER OF CARAMANLIS FOREIGN POLICY. THE GOG WOULD NOT JEOPARDIZE GERMAN SUPPORT FOR GREECE TO PROTECT POHLE.

5. ANDREAS PAPANDREOUS REMARKS (REFTEL) REFLECT PAPANDREOUS WELL ESTABLISHED OPPOSITION TO EUROPE, THE EC, AND THE UNITED STATES, AND HIS OPPOSITION TO THE GOG'S POLICIES WITH RESPECT TO ALL THREE. WE CAN EXPECT PAPANDREOU TO CONTINUE TO EXPLOIT THE POHLE CASE TO BUTTRESS HIS ANTI-US, ANTI-EUROPE POLICIES. IN ADDITION TO PAPANDREOU, OTHER ELEMENTS OF THE GREEK LEFT HAVE ALSO CHIMED IN OPPOSING THE EXTRADITION OF POHLE. (AT THE SAME TIME THERE HAS BEEN MUMBLED COUNTERPOINT IN THE GREEEK PRESS ABOUT FRANZ JOSEPH STRAUSS'S ALLEGED INVOLVEMENT WITH AND SUPPORT FOR GREEK RIGHTISTS.)

6. OUR BEST ESTIMATE REMAINS THAT THE GOG WOULD LIKE NOTHING BETTER THAN TO EXTRADITE POHLE TO GERMANY, IF AT ALL POSSIBLE, BUT FEELS IT MUST FOLLOW THE NORMAL JUDICIAL PROCEDURES PROVIDED BY GREEK LAW.

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